

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KIM EDWARD ROGERS,

Plaintiff,

v.

COUNTY OF SACRAMENTO,

Defendant.

No. 2:24-cv-0237-DJC-CKD (PS)

ORDER

This case is closed and plaintiff's "Motion to Prosecute Action Pursuant to Federal Rule of Civil Procedure 3" (ECF No. 21) is before the court. This case is before the undersigned pursuant to Local Rule 301(c)(21). See 28 U.S.C. § 636. For the reasons set forth below, it is unclear what relief plaintiff seeks and the motion is denied.

Proceeding without counsel in early 2024, plaintiff filed this case and Rogers v. County of Sacramento, et al., E.D. Cal. No. 2:24-cv-00387-DAD-SCR (PS), and sought to proceed in forma pauperis ("IFP") in both cases. Plaintiff's application to proceed IFP was denied in both cases. Plaintiff sought to consolidate the two actions and the request to consolidate was granted on September 13, 2024. (ECF Nos. 12, 14.) The Clerk of the Court administratively closed No. 2:24-cv-00387-DAD-SCR (PS) and the court ordered that all future filings be made in this action. (ECF No. 14 at 5.) In addition, plaintiff was ordered to pay the \$405.00 court costs, seek an extension of time to do so, or file a renewed IFP application using a "Long Form" application.

1 (Id. at 5.) Plaintiff was also granted 30 days to file an amended complaint setting forth all claims
2 from the two consolidated cases. (Id. at 6.)

3 On February 21, 2025, plaintiff filed a notice of voluntary dismissal, dismissing all claims
4 against all defendants with prejudice. (ECF No. 19.) Pursuant to plaintiff's notice of voluntary
5 dismissal, this case was closed on that date. (ECF No. 20.)

6 On March 7, 2025, using the case number for the administratively closed case in the
7 caption, plaintiff filed the motion presently before the court styled as "Motion to Prosecute Action
8 Pursuant to Federal Rule of Civil Procedure 3[.]" (ECF No. 21.) It is unclear what relief plaintiff
9 seeks through the motion. As set forth, this case was closed on February 21, 2025. The motion for
10 miscellaneous relief will be denied accordingly.

11 For the reasons set forth above, IT IS ORDERED that plaintiff's "Motion to Prosecute
12 Action Pursuant to Federal Rule of Civil Procedure 3" (ECF No. 21) is DENIED.

13 Dated: November 5, 2025

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15 CAROLYN K. DELANEY
16 UNITED STATES MAGISTRATE JUDGE

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